

AMENDED IN SENATE JULY 10, 2013

AMENDED IN SENATE JUNE 17, 2013

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 641

**Introduced by Assembly Member Rendon
(Coauthors: Assembly Members Ammiano and Bradford)**

February 20, 2013

An act to add Article 19.5 (commencing with Section 8430) to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, *and to add Section 1596.811 to the Health and Safety Code*, relating to child care.

LEGISLATIVE COUNSEL'S DIGEST

AB 641, as amended, Rendon. Child care: family child care providers: bargaining representative.

~~Existing law authorizes employees of public schools to form, join, and participate in the activities of an employee organization for the purpose of representation on matters of employer-employee relations, including terms and conditions of employment.~~

Existing law, *the California Child Day Care Facilities Act*, provides for the licensure and regulation of family day care homes by the State Department of Social Services. Existing law, the Child Care and Development Services Act, administered by the State Department of Education, requires the Superintendent of Public Instruction to administer child care and development programs that offer a full range of services for eligible children from infancy to 13 years of age,

including, among others, resource and referral programs, alternative payment programs, and family child care home education networks.

~~This bill would authorize family child care providers, as defined, to choose whether to be represented by a single form, join, and participate in the activities of provider organization, organizations, as defined, that would be designated and to seek the certification of a provider organization to act as the exclusive representative for family child care providers on matters related to child care subsidy programs pursuant to a specified petition and election process overseen by the Public Employment Relations Board or a neutral 3rd party designated by the board. The bill would also establish a Family Child Care Parent Advisory Committee that is required, consisting of 11 members, to (A) advise, and make recommendations to, the Governor and any certified provider organization on certain issues, and (B) make specified recommendations would provide for the reimbursement of members of the committee for related travel expenses.~~

The bill would require the State Department of Social Services and the State Department of Education, with the assistance of specified state departments and agencies, and their contractors and subcontractors, to make specified information regarding family child care providers available to provider organizations, and would require the provider organization requesting the information to bear the costs of collecting the information.

~~The bill would authorize a certified provider organization to perform various functions, including meeting with state regulatory agencies and engaging in various types of negotiation on matters within a specified scope of representation with the Department of Human Resources, in consultation with the Superintendent of Public Instruction and other state agencies that administer programs of publicly funded child care. The bill would prohibit provider organizations from calling strikes and from interfering with, intimidating, restraining, coercing, or discriminating against a family child care provider because the family child care provider joins or refuses to join a provider organization. The state, as defined, also would be subject to the latter prohibition. establish the scope of representation of the certified provider organization, and would require the Governor, through the Department of Human Resources, in consultation with the Superintendent of Public Instruction and other entities, to meet and confer in good faith with the certified provider organization on all matters within that scope of representation. The bill would require the parties to jointly prepare a memorandum of~~

understanding if agreement is reached, which would be binding on all state departments and agencies, and their contractors and subcontractors, that are involved in the administration of child care subsidy programs. The bill would authorize the Governor, through the Department of Human Resources, and the certified provider organization, parties, if, after a reasonable period of time they fail to reach agreement, to agree to submit unresolved issues to the California State Mediation and Conciliation Service for mediation or binding arbitration, and would authorize either party to declare that an impasse has been reached and request the Public Employment Relations Board to appoint a mediator or arbitrator from the service to perform mediation or binding arbitration.

The bill would authorize a certified provider organization to enter into an agreement with the state regarding deduction of membership dues and fair share fees from subsidy payments made to providers, and would prohibit provider organizations and the state, as defined, from calling strikes and from interfering with, intimidating, restraining, coercing, or discriminating against a family child care provider for joining or refusing to join a provider organization.

The bill would require the State Department of Education to require all resource and referral agencies to provide, without charge, workshops to family child care providers that include, among other things, training on child development and literacy, and to provide copies of curricula, frameworks, and introductory materials related to childhood education endorsed or published by the State Department of Education.

The bill would require the State Department of Social Services to consult with a stakeholder group, as specified, regarding ways to ensure the most effective implementation of safety standards for family child care homes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Quality, affordable child care is essential to prepare
- 4 California's children to succeed in school and in life and to allow
- 5 families to work and contribute to the state's economy with the
- 6 assurance that their children are safe and well cared for.

1 (b) Family child care is the child care setting of choice for many
2 families because of its warm homelike environment, convenience,
3 and affordability. The flexibility offered by many family child care
4 providers is particularly vital to the more than one-in-five
5 California workers who work nontraditional schedules and need
6 child care on evenings, overnight, and weekends.

7 (c) Family child care providers are small business owners who
8 contribute significantly to the economies of their communities and
9 the state. As businesses, family child care providers are engines
10 for economic growth, generating 100,000 direct and indirect jobs,
11 three billion five hundred million dollars (\$3,500,000,000) in
12 economic output, and five hundred fifty million dollars
13 (\$550,000,000) in tax revenues. Family child care providers also
14 contribute to the economy by serving as a vital job support for
15 working families.

16 (d) There is a need to improve the quality of child care and to
17 increase stability in the industry that is charged with providing
18 safe and quality care for children in California. Turnover among
19 family child care providers is estimated at more than 30 percent
20 per year, more than four times higher than among teachers in the
21 public school system. Losing a caregiver leaves working parents
22 scrambling to find other arrangements and disrupts children's
23 cognitive and social development, putting them at a disadvantage
24 when it is time for them to start school.

25 (e) Experienced family child care providers who care for
26 children under California's child care subsidy program are leaving
27 the profession because low reimbursement rates and a lack of
28 access to affordable health insurance mean they cannot afford to
29 provide for their own families. The state's fragmented, disorganized
30 system for paying family child care providers under the child care
31 subsidy program, in which more than 120 different agencies
32 contract with the state to pay family child care ~~providers~~ providers,
33 also contributes to the turnover. Family child care providers' pay
34 is often late, is reduced, or never arrives, and there is a lack of
35 clear authority and redress when problems arise.

36 (f) The supply of quality child care in the market is inadequate
37 to meet the demand in California. Since ~~2008~~ 2008, the state has
38 lost nearly 11,000 licensed child care providers, representing a
39 25-percent decrease in the supply of licensed child care providers
40 and an elimination of 21 percent of, or 86,500, licensed slots for

1 children in these homes. In 2011, there was only licensed capacity
2 to care for 25 percent of children ~~with~~ of working parents.

3 (g) Child care presents a perfect opportunity for early learning
4 and increased school readiness. However, there are few connections
5 between the state's child care system and the elementary and
6 secondary educational system. Establishing such links would
7 improve the quality of early education and care for California's
8 children and strengthen the elementary and secondary educational
9 system by ensuring that children would be better prepared to start
10 school.

11 (h) Family child care providers' role in the state's child care
12 system gives them unique insight into how quality, access, and
13 stability could be improved for children and families. In the last
14 year, family child care providers have worked with the ~~California~~
15 *State* Department of Education to make improvements to the
16 state's requirements for timeliness of payment and communications
17 with family child care providers and families. This progress shows
18 the value that family child care provider voices can add. But it also
19 highlights the need for family child care providers to have a formal
20 role in decisionmaking on issues that shape the child care system
21 and the way they carry out their profession.

22 (i) To promote higher quality and greater access and stability
23 in the child care system, it is necessary to enact legislation to grant
24 family child care providers the right to choose a representative to
25 negotiate collectively with the state over the operation of the child
26 care subsidy program. Permitting family child care providers a
27 formal voice will allow the state to get input from family child
28 care providers and to maximize its return on its investment in child
29 care, and will allow family child care providers to advocate to
30 improve the quality, access, and stability of care available to
31 California's children and families.

32 (j) Families who receive child care subsidies also lack any
33 formal voice into the way the child care system operates. Forming
34 a Family Child Care Parent Advisory Committee on matters related
35 to the *state* child care subsidy program will permit the state to
36 benefit from the experience and recommendations of families who
37 rely on the *state* child care subsidy program.

38 (k) *Research demonstrates that substantive orientation training*
39 *for family child care providers, accompanied by educational*
40 *material, and the opportunity for family child care providers to*

1 *give formal feedback to oversight agencies are effective ways to*
2 *improve quality outcomes among family child care providers and*
3 *children. For example, a survey in Oregon found that*
4 *license-exempt child care providers who attended an orientation*
5 *training and received a toolkit were 44 percent more likely to read*
6 *to their children five or more times a week than before they had*
7 *attended the orientation training and received the toolkit.*

8 *(l) While many resource and referral agencies make high-quality*
9 *training opportunities available to family child care providers,*
10 *including through the California Child Care Initiative Project,*
11 *these opportunities are not available to all family child care*
12 *providers. Requiring that high-quality training be made available*
13 *to family child care providers at convenient times and in*
14 *community-based locations on topics such as child development*
15 *and literacy will increase the quality of care provided and*
16 *maximize the state's return on its investment in the child care*
17 *system.*

18 *(m) Establishing a stakeholder group of family child care*
19 *providers and parents whose children participate in family child*
20 *care to consult with the State Department of Social Services and*
21 *the State Department of Education regarding best practices to*
22 *ensure the well-being of children, including, but not limited to, the*
23 *most effective implementation of safety standards and training,*
24 *will also improve the quality of care provided to California's*
25 *children.*

26 SEC. 2. Article 19.5 (commencing with Section 8430) is added
27 to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education
28 Code, to read:

29
30 Article 19.5. Quality Family Child Care
31

32 8430. This article shall be known, and may be cited, as the
33 Quality Family Child Care Act.

34 8430.5. (a) The purpose of this article is to promote quality,
35 access, and stability in the child care system by authorizing an
36 appropriate unit of family child care providers to choose a provider
37 organization to act as their exclusive representative on all matters
38 specified in this article. It is also the purpose of this article to
39 promote full communication between family child care providers
40 and the state by permitting a provider organization certified as the

1 representative of family child care providers to meet and confer
2 with the state regarding the state's child care system.

3 (b) This article does not change family child care providers'
4 status as independent business owners or classify family child care
5 providers as public employees.

6 8431. As used in this article:

7 (a) "Certified provider organization" means a provider
8 organization that is, or provider organizations that jointly are,
9 certified by the board as the exclusive representative of family
10 child care providers in an appropriate unit after a proceeding under
11 Section 8434.

12 (b) "Child care subsidy program" means a program established
13 pursuant to this chapter and administered by the department or the
14 State Department of Social Services, or both, or any successor
15 program or similar program subsequently established or
16 administered by any departments of the state or a political
17 subdivision of the state, to subsidize families in purchasing child
18 care.

19 (c) "Family child care provider" or "provider" means a child
20 care provider that participates in a child care subsidy program and
21 is either of the following:

22 (1) A family day care home provider, as defined in Section
23 1596.78 of the Health and Safety Code, who is licensed pursuant
24 to the requirement in Section 1596.80 of the Health and Safety
25 Code.

26 (2) An individual who meets ~~all~~ *both* of the following criteria:

27 (A) Provides child care in his or her own home or in the home
28 of the child receiving care.

29 (B) Is exempt from licensing requirements pursuant to Section
30 1596.792 of the Health and Safety Code.

31 ~~(C) Participates in a child care subsidy program.~~

32 (d) "Provider organization" means an organization that has all
33 of the following characteristics:

34 (1) Includes family child care providers.

35 (2) Has as one of its main purposes the representation of family
36 child care providers in their relations with public and private
37 entities in California.

38 (3) Is not an entity that contracts with the state or a county to
39 administer or process payments for a child care subsidy program.

(e) “Public Employment Relations Board” or “board” means the Public Employment Relations Board established pursuant to Section 3541 of the Government Code. The powers and duties of the board described in Sections 3514.5, 3520.5, and 3541.3 of the Government Code, and the respective implementing regulations, shall apply, as appropriate, to this article to the extent those procedures are not inconsistent with the procedures specified in this article. If a provision of this article is the same or substantially the same as that contained in Chapter 10 (commencing with Section 3500), Chapter 10.3 (commencing with Section 3512), or Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, it shall be interpreted and applied in accordance with the judicial interpretations of the provision in those statutes.

8431.3. (a) There is hereby established a Family Child Care Parent Advisory Committee. The committee shall consist of 11 members, nine of whom shall be the parents or guardians of children who participate or have participated in a child care subsidy program, *with particular consideration given to parents who are involved with, or have received training from, organizations focused on child care advocacy or made up of parents whose children receive child care.* The Director of the State Department of Social Services, or his or her designee, shall serve on the committee. The Superintendent, or his or her designee, shall serve on the committee and act as the committee chair. A majority of members of the committee shall constitute a quorum for the transaction of any business.

(b) The Governor shall appoint five parent or guardian members to the committee.

(c) The Speaker of the Assembly, and the Senate Committee on Rules shall each appoint two parent or guardian members to the committee.

(d) The committee members shall serve three-year terms.

(e) The committee shall meet not more than three times per calendar year and the committee members shall each be entitled to reimbursement for travel by the department not to exceed four hundred dollars (\$400) per meeting for airfare, or fifty-six and four-tenths cents (\$0.564) per mile for motor vehicle mileage per meeting.

1 (f) The committee shall advise the Governor, or his or her
2 designee, and any certified provider organization regarding issues
3 related to the quality, affordability, and accessibility of child care
4 offered through child care subsidy programs of the state. In
5 particular, the committee shall make recommendations regarding
6 both of the following:

7 (1) Strategies for improving quality, affordability, and access
8 to child care for families, ~~including, but not limited to,~~ and for
9 *ensuring that families are informed of their rights and eligibility*
10 *for benefits under the child care subsidy programs of the state.*
11 *These strategies shall include recommendations relevant to families*
12 *who cannot participate in the child care subsidy program because*
13 *of wait lists or other hurdles.*

14 (2) The structure of the child care subsidy program of the state,
15 including, but not limited to, the application and renewal process,
16 eligibility rules and standards, and the amount of family
17 copayments.

18 8431.5. The state action antitrust exemption to the application
19 of federal and state antitrust laws is applicable to the activities of
20 family child care providers and their representatives authorized
21 under this article.

22 8432. Family child care providers have the right to form, join,
23 and participate in the activities of provider organizations of their
24 own choosing for the purpose of being represented in all matters
25 specified in this article. Family child care providers have the right
26 to refuse to join or participate in the activities of provider
27 organizations, except that a certified provider organization may
28 charge family child care providers who receive payment from a
29 child care subsidy program a fair share fee pursuant to Section
30 8436.

31 8432.5. Family child care providers are not public employees,
32 and this article does not create an employer-employee relationship
33 between family child care providers and the state or a public or
34 private nonprofit entity for any purpose, including, but not limited
35 to, eligibility for health or retirement benefits or vicarious liability
36 in tort. This article does not alter the status of a family child care
37 provider as a business owner, an employee of a family, or a
38 contractor.

39 8433. This article does not alter the rights of families to select,
40 direct, and terminate the services of family child care providers.

1 8433.5. (a) Within 10 days of receipt of a request from a
2 provider organization, the State Department of Social Services
3 shall make available to that provider organization information
4 regarding family child care providers described in paragraph (1)
5 of subdivision (c) of Section 8431, including each provider's name,
6 home address, mailing address, telephone number, email address,
7 and license number.

8 (b) Within 30 days of receipt of a request from a provider
9 organization, the department, with the assistance of the State
10 Department of Social Services and any state department or agency,
11 or its contractor or subcontractor, in possession of the relevant
12 information, shall collect information regarding family child care
13 providers, including each provider's name, home address, mailing
14 address, telephone number, email address, unique provider
15 identification number, if applicable, and shall make that
16 information available to the provider organization. The provider
17 organization shall bear the reasonable costs of collecting the
18 information described in this subdivision if that information has
19 not been previously collected.

20 (c) A provider organization under this article shall be considered
21 a day care organization for purposes of subdivisions (b) and (c) of
22 Section 1596.86 of the Health and Safety Code. All confidentiality
23 requirements applicable to recipients of information pursuant to
24 Section 1596.86 of the Health and Safety Code apply to provider
25 organizations and shall apply also to protect the personal
26 information of family child care providers as defined in paragraph
27 (2) of subdivision (c) of Section 8431. Information provided
28 pursuant to this section shall be used only for purposes of
29 organizing and representing family child care providers.

30 8434. (a) An appropriate unit of family child care providers,
31 as defined in subdivision (e), may designate, in accordance with
32 the provisions of this article, the provider organization, if any, that
33 shall be its exclusive representative. The board shall certify a
34 provider organization designated by an appropriate unit of family
35 child care providers as the exclusive representative of those
36 providers.

37 (b) Requests for elections, challenges, and competing claims,
38 requests for intervention, and requests for decertification shall be
39 filed with, received by, and acted upon by the board, provided that
40 a valid petition for a certification or decertification election is

1 resolved by a secret ballot election among family child care
2 providers. The board may designate a neutral third party to act on
3 any of the requests filed with the board pursuant to this subdivision.

4 (c) The provider organization that presents a petition requesting
5 certification shall pay the reasonable costs of verifying the number
6 of family child care providers that have designated a provider
7 organization to act as their exclusive representative. The board, or
8 a neutral third party designated by the board to act on a request
9 for certification election, shall consider a document evidencing a
10 family child care provider's support for a provider organization
11 valid if it was signed by the family child care provider within two
12 years of the date it is submitted to the board.

13 (d) All provider organizations placed on the ballot shall share
14 equally the cost of an election.

15 (e) The only appropriate unit shall consist of all family child
16 care providers in the state.

17 (f) A certified provider organization shall represent each
18 provider in the represented unit fairly, without discrimination and
19 without regard to whether the provider is a member of the provider
20 organization.

21 8434.5. The scope of representation shall include all of the
22 following:

23 (a) The administration of laws and regulations governing
24 licensing for providers.

25 (b) Joint labor-management committees.

26 (c) Contract grievance arbitration.

27 (d) Expanded access to professional development and training
28 opportunities for providers.

29 (e) Benefits for providers.

30 (f) Payment procedures for child care subsidy programs.

31 (g) Reimbursement rates and other economic matters.

32 (h) Expanded access to food and nutrition programs.

33 (i) The deduction of membership dues, fair share fees, and any
34 voluntary deductions authorized by individual family child care
35 providers.

36 (j) Building connections between the family child care system
37 and the elementary and secondary educational system.

38 (k) Expanded access to the ~~subsidized family child care system~~
39 *subsidy program* to families in need of subsidies.

1 (l) Any changes to current practice other than those listed in
2 subdivisions (a) to (k), inclusive, that would do any of the
3 following:

4 (1) Improve recruitment and retention of qualified providers.

5 (2) Improve the quality of the programs.

6 (3) Encourage qualified providers to seek additional education
7 and training.

8 (4) Promote the health and safety of providers and the children
9 in their care.

10 8435. (a) The Governor, through the Department of Human
11 Resources, in consultation with the Superintendent, other state
12 agencies that administer programs of publicly funded child care,
13 and their contractors, as needed, shall meet and confer in good
14 faith regarding all matters within the scope of representation with
15 representatives of a certified provider organization and, before
16 arriving at a determination of policy or course of action, shall
17 consider fully the presentations made by the certified provider
18 organization on behalf of the providers it represents.

19 (b) As used in this section, “meet and confer in good faith”
20 means that the Governor, through the Department of Human
21 Resources, and representatives of the certified provider
22 organization shall have the mutual obligation to meet and confer
23 promptly upon request by either party and continue for a reasonable
24 period of time in order to exchange freely information, opinions,
25 and proposals. The duty to meet and confer in good faith also
26 requires the parties to begin negotiations sufficiently in advance
27 of the adoption of the state’s final budget for the ensuing fiscal
28 year so that there is adequate time for agreement to be reached
29 before the adoption of the final budget and for the resolution of
30 an impasse.

31 8435.5. (a) If agreement is reached between the Governor,
32 through the Department of Human Resources, and the certified
33 provider organization, they jointly shall prepare a written
34 memorandum of understanding. Any portions of the memorandum
35 of understanding requiring appropriation by the Legislature or
36 statutory or regulatory revisions shall be subject to legislative
37 approval of those appropriations or statutory or regulatory
38 revisions.

39 (b) A memorandum of understanding between the Governor,
40 through the Department of Human Resources, and the certified

1 provider organization is binding on all state departments and
2 agencies that are involved in the administration of child care
3 subsidy programs, and the relevant contractors or subcontractors
4 of those departments and agencies.

5 (c) An agreement pursuant to this section may provide for
6 binding arbitration of grievances concerning the interpretation,
7 application, or violation of the agreement.

8 (d) This article does not alter the requirements governing the
9 child care reimbursement system that are set forth in Section 8222.

10 8436. (a) A certified provider organization shall have the same
11 right to enter into an agreement with the state regarding deduction
12 of membership dues and fair share fees from subsidy payments
13 made to providers, including payments made through state
14 agencies, departments, contractors, or subcontractors, as recognized
15 employee organizations have under Sections 3515.7 and 3515.8
16 of the Government Code.

17 (b) The amount of any fair share fee shall not exceed the amount
18 of the dues payable by the members of the certified provider
19 organization. The costs covered by the fair share fee may include
20 all of the following:

21 (1) The certified provider organization's costs for meeting and
22 conferring with the state.

23 (2) Contract administration.

24 (3) Securing for the represented providers improvements in
25 subsidy rates, benefits, payment systems, training opportunities,
26 and other matters related to the family child care system in addition
27 to those secured through meeting and conferring with the state.

28 (4) Other activities germane to the certified provider
29 organization's function as the exclusive representative of providers.

30 (c) If the deduction of membership dues or fair share fees for a
31 provider requires action by more than one agency, department,
32 contractor, or subcontractor, the certified provider organization
33 shall establish procedures to ensure both of the following:

34 (1) The amount of the dues or fees does not exceed the total
35 membership or fair share fee owed by that provider.

36 (2) The administrative procedures for deducting dues or fees
37 are reasonable.

38 (d) The state, its agencies and departments, and their contractors
39 and subcontractors shall not be liable in any action by a provider

1 seeking recovery of, or damage for, improper calculation or use
2 of fair share fees.

3 8436.5. (a) It is unlawful for the state, including its agencies,
4 boards, commissions, departments, public benefit corporations,
5 political subdivisions, contractors, subcontractors, or employees,
6 to do to providers or provider organizations any of the things made
7 unlawful under Section 3519 of the Government Code.

8 (b) It shall be unlawful for a provider organization to do to the
9 state or to providers any of the things made unlawful under Section
10 3519.5 of the Government Code.

11 (c) For purposes of subdivisions (a) and (b), the references in
12 subdivision (e) of Section 3519 of, and subdivision (d) of Section
13 3519.5 of, the Government Code to “the mediation procedure set
14 forth in Section 3518” shall be deemed to refer to the impasse
15 procedures set forth in Section 8437.5.

16 (d) The initial determination as to whether charges of unfair
17 practices are justified and, if so, what remedy is necessary to
18 effectuate the purposes of this article shall be a matter within the
19 exclusive jurisdiction of the board.

20 8437. A provider organization shall not direct or call a strike.

21 8437.5. If after a reasonable period of time the parties fail to
22 reach agreement, the parties may agree to submit unresolved issues
23 to the California State Mediation and Conciliation Service
24 established by the Department of Industrial Relations for mediation
25 or binding arbitration, or either party may declare that an impasse
26 has been reached and request the board to appoint a mediator or
27 an arbitrator from the California State Mediation and Conciliation
28 Service to perform mediation or binding arbitration. A
29 memorandum of understanding reached by means of mediation or
30 arbitration is subject to appropriation by the Legislature and
31 necessary statutory and regulatory revisions.

32 8438. (a) *To ensure that family child care providers have the*
33 *opportunity to receive substantive training on topics such as child*
34 *development and literacy and on other resources available to*
35 *family child care providers and the families they serve, the*
36 *department shall require all resource and referral agencies to*
37 *provide in-person introductory workshops to all family child care*
38 *providers in that region who participate in child care subsidy*
39 *programs. Other child care providers and parents who participate*

1 *in child care subsidy programs may also be invited to attend the*
2 *provider workshops.*

3 *(b) A provider workshop shall be offered without charge to*
4 *family child care providers, at times and in community-based*
5 *settings that are convenient and accessible, with a particular focus*
6 *on making the workshops accessible to family child care providers*
7 *serving children who are English learners.*

8 *(c) If a substantial number of the family child care providers*
9 *participating in child care subsidy programs in a county are*
10 *non-English speaking, some provider workshops, including written*
11 *material distributed at the workshops, shall be provided in the*
12 *languages spoken by a substantial number of family child care*
13 *providers, in order to facilitate full participation from all providers.*

14 *(d) Alternatives to in-person provider workshops shall be offered*
15 *on a case-by-case basis for family child care providers who have*
16 *been unable to attend a scheduled workshop within two years after*
17 *the workshop is first offered, or within six months after the family*
18 *child care provider begins participating in the child care subsidy*
19 *program.*

20 *(e) A provider workshop shall include all of the following:*

21 *(1) Training on child development and literacy, including best*
22 *practices on how to align early education with standards for*
23 *kindergarten and grades 1 to 5, inclusive.*

24 *(2) Providing attendees with copies of curricula, frameworks,*
25 *and introductory materials related to childhood education that*
26 *are published or endorsed by the department.*

27 *(3) Information on resources available to family child care*
28 *providers and the children and families they serve, including the*
29 *federal Child and Adult Care Food Program, the state early*
30 *intervention system, First 5 county commissions, and alternative*
31 *payment programs. This information may be delivered through*
32 *brief presentations by representatives of those organizations.*

33 *(4) An opportunity for family child care providers to provide*
34 *input and feedback on the workshop.*

35 *(f) A provider workshop may also include the following:*

36 *(1) Training on all of the following:*

37 *(A) Setting up a family child care home to create an enriching*
38 *environment for children.*

39 *(B) Creating a routine for children.*

40 *(C) Creating a curriculum.*

1 (D) Involving parents in their children's early education and
2 care.

3 (2) Information on bilingual teaching practices.

4 (3) Information on available training and professional
5 development opportunities, including those offered by local
6 resource and referral agencies, community colleges, and in
7 association with First 5 county commissions.

8 (4) Opportunities for coaching or mentoring by early childhood
9 professionals, including other family child care providers.

10 (5) Information on the state's licensing system for family child
11 care providers, including how to become a licensed provider, and
12 how providers are informed of licensing rules and regulations.

13 (g) If there is a certified provider organization, it shall be
14 permitted to make a brief presentation at the provider workshops.

15 (h) The implementation of this section is contingent upon
16 appropriation of funds for purposes of this section in the annual
17 Budget Act.

18 (i) The curricula and other materials required to be distributed
19 to family child care providers participating in child care subsidy
20 programs pursuant to paragraph (2) of subdivision (e) shall also
21 be provided to all licensed family child care providers, including
22 those who do not participate in child care subsidy programs, either
23 by mail or electronic mail. The department shall work with the
24 State Department of Social Services to distribute these materials.

25 (j) The Superintendent may adopt rules and regulations to set
26 standards regarding the introductory core provider workshops
27 required pursuant to this section.

28 SEC. 3. Section 1596.811 is added to the Health and Safety
29 Code, to read:

30 1596.811. (a) The department shall consult with a stakeholder
31 group made up of up to four family child care providers, up to four
32 parents or guardians of children who attend or have attended
33 family child care, and the State Department of Education regarding
34 ways to ensure the most effective implementation of safety
35 standards for family child care homes.

36 (b) The family child care provider participants in the stakeholder
37 group shall be designated by the provider organization certified
38 pursuant to Section 8434 of the Education Code, or, if no provider
39 organization has been certified, by the Governor.

1 (c) *The parent or guardian participants shall be designated by*
2 *the Family Child Care Parent Advisory Committee established by*
3 *Section 8431.3 of the Education Code.*

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